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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the New Jersey Board
of Chiropractic Examiners

By: John D. Hugelmeyer
Deputy Attorney General
(973) 693-5056

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Frederick C. Padovano, D.C.
License No. MC002349

Administrative Action

CONSENT ORDER

TO PRACTICE CHIROPRACTIC :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board") upon receipt of information that the treatment of patients Gary Reith and Maria Karbownik by Dr. Padovano (hereinafter "Respondent") may have demonstrated Respondent's incompetence in certain respects, may have constituted the overutilization of chiropractic care, and may have been inadequately documented in the patient records.

On May 11, 2000, Respondent appeared, together with counsel, Kurt Reinheimer, Esq., at an investigative inquiry held by the Board into the matter. Having reviewed the entire record, including the testimony of Respondent at the investigative inquiry and the patient records of Gary Reith and Maria Karbownik, it appears to the Board that during the course of Respondent's

treatment of Gary Reith, which consisted of 230 visits between August 1997 and February 2000, Respondent demonstrated repeated acts of incompetence, within the meaning of N.J.S.A. 45:1-21(d), when he failed to timely recognize the patient's carpal tunnel syndrome, and to timely refer the patient for appropriate treatment for that condition. It further appears to the Board that Respondent, while treating Maria Karbownik from October 1, 1996 to June 24, 1998 for a lumbar disc bulge indenting the thecal sac, failed to adequately document in the patient's record justification for the amount of chiropractic care provided to her; and that Respondent failed to document in her treatment notes the MRI taken of Ms. Karbownik. With regard to both patients, it appears to the Board that the amount of treatment provided by Respondent was not justified by the needs of the patients, in violation of N.J.A.C. 13:44E-2.13(a)1; and that Respondent failed to comply with patient record keeping requirements, in violation of N.J.A.C. 13:44E-2.2. These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d) and (h).

It appearing that Respondent desires to resolve this matter without admissions, and without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 15 DAY OF February, 2001
HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice chiropractic shall be, and hereby is, suspended for a period of six (6) months from the date of entry of the within Consent Order; said suspension shall be **stayed**; but shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.

2. Respondent shall successfully complete and pass the following continuing education requirements: 12 credit hours of Case Management; 12 credit hours of Risk Management; 24 credit hours of Examination Procedures; for a total of 48 credit hours of continuing education. These courses shall be completed within 12 months of the entry of the within Consent Order. Respondent shall secure prior approval of the Board for the specific courses proposed to satisfy this requirement. Respondent shall complete and submit the attached Continuing Education Course Pre-Approval Sheet at least 30 days prior to the course date of each course for which he seeks approval. The attached form is made a part of the within Consent Order, and a separate form is to be used for each course.

3. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,000.00 for conduct with respect to the aforesaid violations of N.J.A.C. 13:44E-2.13(a)1 and N.J.A.C. 13:44E-2.2. Payment for the civil penalties shall be submitted no later than 21 days from the entry of this Consent Order by certified check or money order made payable to the State of New Jersey, and shall be sent to: Kevin B. Earle, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent is hereby assessed the costs to the State of the investigation in this matter in the amount of \$330.00. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than twenty-one days from the entry of this Consent Order. Payment shall be sent to at the address described in paragraph #3.

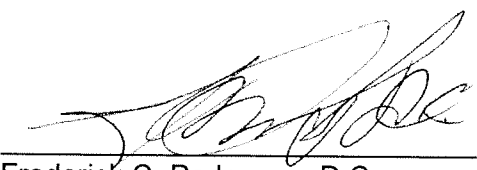
5. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

By: _____


William F. Winters, D.C.,
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Frederick C. Padovano, D.C.